

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

Date of Mailing:

23 January 2007

Attorney Docket No.

0074-530346

U.S. Application No. (If Known)

10/560,670

Type of Mailing:

First Class Mail, Postage Prepaid

Int'l Application No.

PCT/NZ04/00124

Int'l Filing Date

17 June 2004

Priority Date Claimed

18 June 2003

TITLE OF INVENTION

ZWITTERIONIC NON-LINEAR OPTOPHORES AND DEVICES INCORPORATING SAME

Applicant(s) for DO/EO/US

WOOLHOUSE, Anthony D.; KAY, Andrew John

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

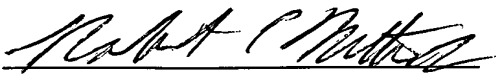
Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: - Copy of Notice of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); PTO/SB/81 Power of Attorney and Correspondence Address Indication Form - 2 pages

U.S. Application No. 10/560,670		International Application No. PCT/NZ04/00124		Docket No. 0074-530346	
The following fees are submitted:					
21. <input type="checkbox"/> BASIC NATIONAL FEE				\$300	\$0
22. <input type="checkbox"/> Examination Fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	\$0
All other situations				\$200	
23. <input type="checkbox"/> Search Fee Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as a International Searching Authority.				\$100	
International Search Report prepared by International Search Authority other than USPTO, but provided to Office by Applicant(s)				\$400	\$0
All other situations				\$500	
Total of 21, 22, 23					\$0
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program filed in an electronic medium). Total Sheets Extra Sheets No. of each add'l 50 (round up to whole number) -100 = /50 = x \$250					\$0
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date					\$130
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20	=	50		
Independent Claims	-3	=	200		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360		\$0
TOTAL OF ABOVE CALCULATIONS					\$130
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2					\$
SUBTOTAL =					\$130
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))					\$0
TOTAL NATIONAL FEE =					\$65
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property					\$0
TOTAL FEES ENCLOSED =					\$130

- a. ☒ A check in the amount of \$ **130** to cover the above fees is enclosed
- b. ☐ Please surcharge Deposit Account No. 04-1406 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit
any overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO: **CUSTOMER NUMBER 000110** to the attention of the individual listed below.


Robert C. Netter, Jr., Ph.D.
Registration No. 56,422

01/29/2007 LLANDGRA 00000042 10560670

01 FC:1617

130.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Date of Mailing
January 23, 2007

U.S. Application No.
10/560,670

Applicant's or Agent's File Reference
0074-530356

BOX PCT

IDENTIFICATION OF THE INTERNATIONAL APPLICATION

Int'l Appln. No.
PCT/NZ2004/000124

Int'l. Filing Date
17 June 2004

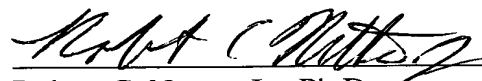
Applicant (name)
WOOLHOUSE, Anthony D.

**TRANSMITTAL OF LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Attention: PCT International Division

We are enclosing the following for the above-identified U.S. National Stage of the international application:

- 1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (**Second** submission): Form PTO-1390 (2 pages);
- 2) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- 3) 3 pages of Form PTO/SB/01 - Declaration for Utility or Design Patent Application (37 CFR 1.63);
- 4) 2 pages of Form PTO/SB/81 - Power of Attorney and Correspondence Address Indication Form; and
- 4) Check in the amount of **\$130**: (large entity): surcharge for submission of oath or declaration.


Robert C. Netter, Jr., Ph.D.
Reg. No. 56,422



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/560,670

FIRST NAMED APPLICANT

Anthony D. Woolhouse

ATTY. DOCKET NO.

0074-530346

INTERNATIONAL APPLICATION NO.

PCT/NZ04/00124

I.A. FILING DATE

06/17/2004

PRIORITY DATE

06/18/2003

110

DANN, DORFMAN, HERRELL & SKILLMAN
 1601 MARKET STREET
 SUITE 2400
 PHILADELPHIA, PA 19103-2307

CONFIRMATION NO. 2339

371 FORMALITIES LETTER



OC000000022033191

Date Mailed: 01/18/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/14/2005
- Copy of the International Search Report filed on 12/14/2005
- Preliminary Amendments filed on 12/14/2005
- U.S. Basic National Fees filed on 12/14/2005
- Priority Documents filed on 12/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,670	PCT/NZ04/00124	0074-530346